

**City of Culver City, California
Agenda Item Report**

Meeting Date: 02/13/2012		Item Number: <u>C-6</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution Approving Encroachment Agreements with AT&T for Use of the Underground Public Right of Way at Various Locations			
Contact Person/Dept.: Lee Torres/PW		Phone Number: (310) 253-5623	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: (E-Mail) Agenda and Meetings – City Council (02/08/12) and Culver City News on (02/09/12)			
Department Approval: Charles D. Herbertson 02/01/2012		City Attorney Approval: Carol Schwab (by R. Miranda) (02/01/12)	
Chief Financial Officer Approval: Jeff Muir (02/01/12)		City Manager Approval: John M. Nachbar (02/09/12)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council adopt a resolution approving Encroachment Permit Agreements with AT&T California (AT &T) to install; 1) Fiber optic cables along Culver Boulevard from Irving Place to Washington Boulevard to provide service to a customer located at 9724 Washington Boulevard; 2) Fiber optic cables across the intersection of Washington Boulevard and Helms Avenue to provide service to a customer located at 8800 Venice Boulevard, Los Angeles; and, 3) Fiber optic cables along Sepulveda Boulevard north of Bankfield Avenue to provide service to a customer located at 5995 Sepulveda Boulevard. <u>BACKGROUND/ DISCUSSION:</u> <u>Culver Blvd/Irving Place/Washington Blvd</u> AT&T is proposing to install fiber optic cables along Washington Boulevard to provide service to a customer located at 9724 Washington Boulevard via directional boring and open trenching. New fiber optic cables will tie-in to an existing telecommunication vault located at the southeast corner of Culver Boulevard and Irving Place. From the tie-in, approximately 208 feet will be installed in a southerly direction along the east side of Culver Boulevard under the sidewalk. The proposed fiber optic cable then continues			

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across Culver Boulevard for approximately 94 feet, then continues in a southerly direction for another 221 feet along the east side of Washington Boulevard to an existing telecommunication vault located in front of 9724 Washington Boulevard.

Washington Boulevard/ Helms Avenue

AT&T is proposing to install new fiber optic cable at the intersection of Washington Boulevard and Helms Avenue to provide service to a customer located at 8800 Venice Boulevard, Los Angeles, via directional and open trenching.

New fiber optic cables will tie-in to an existing telecommunication vault located at the south side of Washington Boulevard just west of the Helms Avenue centerline. From the tie-in, approximately 96 feet will be installed across Washington Boulevard and Helm Avenue intersection in a northerly direction to an existing telecommunication vault located on private property.

Sepulveda Boulevard/Bankfield Avenue

AT&T is proposing to install fiber optic cable, via open trenching, along the west side of Sepulveda Boulevard and north of Bankfield Avenue to provide service to a customer located at 5995 Sepulveda Boulevard.

New fiber optic cables will tie-in to an existing telecommunication vault located on the sidewalk on the west side of Sepulveda Boulevard just north of Bankfield Avenue. From the tie-in, approximately 20 feet will be installed under the sidewalk on the west side of Sepulveda Boulevard to a proposed vault located on private property in front of 5995 Sepulveda Boulevard. None of the work will occur in the newly constructed street.

Legal Framework

As a telephone corporation, A T & T is authorized, under California law, to construct and maintain telecommunication lines and facilities along and upon cities' public rights-of-way. The related federal and state laws require that municipalities allow the installation of telecommunication facilities by telephone corporations but allow municipalities to impose reasonable time, place, and manner regulations pertaining to construction of telecommunications facilities within the City's rights-of-way.

The City's time, place and manner regulations will be documented in two Encroachment Permit Agreements to be executed by A T & T and the City if the City Council approves this item. To protect Culver City's interests, these agreements will contain provisions requiring that A T & T repair any damage to City property, carry adequate liability and automobile insurance, defend the City if it is sued for damage caused by A T & T, and post a performance bond prior to commencing work on this project. This bond may be in the form of a Blanket Bond (a bond covering several projects), subject to the approval of the City Manager.

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FISCAL ANALYSIS:

Per Section 11.20.025B of the Culver City Municipal Code, the City may collect an application fee as compensation for City staff time expended in reviewing telecommunication applications. Based on Resolution No. 2011-R027, the City's Fee Resolution for Fiscal Year 2011/2012, a fee in the amount of \$3,850 was paid by AT&T on January 25, 2012.

ATTACHMENT:

- Proposed Resolution
- System Exhibits

MOTION:

That the City Council:

1. Adopt a resolution approving the Encroachment Agreements with AT&T at the locations shown in the System Exhibits;
2. Authorize the City Attorney to review/prepare the necessary documents; and,
3. Authorize the City Manager to execute the documents on behalf of the City.